



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Date: 11/24/2009

From: Tien H. Nguyen, OSC
8EPR-ER

To: EPA Headquarters
John Irizarry
Eugene Lee

Subject: **POLREP # 2**
Highway 89 Storage Units Site
At Three Locations:

- 1620 9th Street, Ogden, UT 84404
- 2100 Hwy 89, Perry, UT 84302
- 8823 Hwy 89, S. Willard, UT 84340

Box Elder and Weber Counties, Utah

ABSTRACT

Site #:	08SK	Response Authority:	CERCLA
NPL Status:	Not	Incident Category:	Fund-lead
CERCLIS ID #:	UTN 000802790	RCRIS ID#:	
Reporting Period:	10/15/09 to 11/13/09	Response Type:	Classic Emergency
Contaminant of Concern:	Explosives, Toxics,	Contaminated Area:	Commercial storage units
		Flammables, Haz Wastes	
		& residential area	
Action Memo Date:	10/22/09	Start Date:	10/09/09
AM Amendment Date:	11/09/09	Removal Compl Date:	TBD
DO#:		Removal Ceiling:	\$2.57M

(Updates to POLREP #1 added herein in **BOLD** type)

1.1.1 Incident Category: Fund Lead with PRP takeover

This classic emergency removal was initiated on October 9, 2009, after the Region 8 Environmental Protection Agency (EPA/8) received notification from the Box Elder County Sheriff's Office (the County) that numerous drums and containers of old chemicals, used to make rocket propellants, were found in storage units at two locations in the towns of Perry and South Willard, in Utah.

1.1.2 Site Description

1.1.2.1 Location

The Highway 89 Storage Units Site is located at two locations: 2100 Hwy 89, Perry, UT 84302 and 8823 Hwy 89, S. Willard, UT 84340 in Box Elder County, Utah. In addition, as of October 15, 2009, the individual's residence at 1620 9th Street, Ogden, UT 84404 was included a third location for the Site.

1.1.2.2 Description of Threat

(Please see POLREP #1 for information.)

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

The County Sheriff's detective escorted the OSC and START team to visit the seven suspected storage units. All these storage units are haphazardly stacked with drums, containers, and bags of chemicals as well as other items like equipment, merchandise, furniture and other trash/junk. Some units are with strong odors of chemical vapors.

Numerous containers of hazardous materials have been found at the Site, most notably explosives, rocket propellants, oxidizers, and shock-sensitive and water-reactive chemicals. Explosive and/or shock-sensitive materials were removed and detonated by the local bomb squads; however there still remains an immediate threat to the public due to the volume and type of chemicals present. Box Elder and Weber County Sherriff's Office continue providing Site security at the three locations.

Preliminary investigations found that many of the containers were labeled as being from or associated with Thiokol (now known as ATK Launch Systems Group) a local industry focused on rocket and missile propulsion.

2.1.1 Narrative

(See POLREP #1 for additional information.)

2.1.2 Response Actions to Date

(See POLREP #1 for additional information.)

As of 11/13/09, over 7,000 chemical items, in more than 16,000 containers of various sizes, have been inventoried and classified by EPA and local haz-mat teams. Individual containers, following haz-cat or characterization, were segregated into appropriate waste streams and placed in secured storage units. Various waste streams include large quantities of ammonium perchlorate (shock-sensitive) and magnesium and aluminum powders (water-reactive). With assistance from local forces, several thousand pounds of explosives materials have been removed from the Site and transported by the local bomb squads to nearby field(s) for burning or detonation.

2.1.3 Enforcement Activities, Identifications of PRPs

The Site is being investigated under the warrant obtained by the Box Elder County's Criminal Division per their delegated authorities. The County has also been investigating the residence of the former Thiokol employee who rented and stored chemicals at the storage units.

Since 10/29/09, EPA/8 has negotiated future Site characterization activities and waste disposal needs with ATK Launch Systems, Inc. (ATK), the suspected origin of a substantial number of chemicals found at the Site. EPA/8 and ATK negotiated an Administrative Order on Consent (AOC) whereby ATK agreed to remove and dispose of the remaining materials found at the Site. The AOC was signed on 11/17/09. Accordingly, ATK assumed the primary lead role for completing waste characterization as well as developing and implementing treatment options and/or disposal alternatives.

2.1.4 Progress Metrics

(See POLREP #1 for additional information.)

2.2.1 Anticipated Activities

2.2.1.1 Planned Response Activities

On 11/17/09, pursuant to the AOC, ATK submitted a draft Work Plan and Health & Safety (H&S) Plan to EPA for review and comment. EPA/8 approved the revised Work Plan and H&S Plan on 11/23/09

2.2.1.2 Next Steps

Pursuant to the approved Work Plan, ATK personnel and contractor, Veolia Environmental Services, will mobilize to the Site on 11/30/09 to assume the lead in continuing the Removal, prioritizing response actions at the residence location. EPA/8 OSC will provide oversight and the local Sheriff will continue providing security.

2.2.2 Issues:

Initial EPA/8 response actions were addressed in the CERCLA Removal ACTION MEMORANDUM (AM) approved by the OSC on 10/22/09. Removal funding committed in the 10/22/09 AM were only sufficient to cover initial Site characterization and stabilization activities at the two US Highway 89 locations. The AM Amendment, authorizing Removal continuation, a funding increase, and exemption from the CERCLA \$2 million statutory limitation, and incorporating response to the residence location, was approved by the EPA/8 Assistant Regional Administrator, OEPR, on 11/09/09. Subsequently, EPA and ATK entered into an AOC, pursuant to which ATK assumed responsibility for completing the Removal. Accordingly, final Removal cost allocation will be determined after-the-fact.